



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/633,839	04/10/96	WLASCHIN	S P01004US

IRELL & MANELLA

1800 AVENUE OF THE STARS  
SUITE 900  
LOS ANGELES CA 90067

B3M1/0820

EXAMINER

TON, D

ART UNIT

PAPER NUMBER

2317

4

DATE MAILED:

08/20/97

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

### OFFICE ACTION SUMMARY

Responsive to communication(s) filed on \_\_\_\_\_

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire \_\_\_\_\_ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

#### Disposition of Claims

Claim(s) 1-8 is/are pending in the application.  
Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1-8 is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claims \_\_\_\_\_ are subject to restriction or election requirement.

#### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been received.

received in Application No. (Series Codé/Serial Number) \_\_\_\_\_

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

#### Attachment(s)

Notice of Reference Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

- SEE OFFICE ACTION ON THE FOLLOWING PAGES -

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 37 1© of this title before the invention thereof by the applicant for patent.

2. Claim 1 is rejected under 35 U.S.C. § 102(e) as being anticipated by **Eshel et al** (Eshel) patent no. **5,535,375**.

3. As to claim 1, Eshel teaches the invention substantially as claimed, including a method for providing simultaneous access to a common file on a computer network comprising at least one computer (abstract, col. 2 line 1-28), said method including the steps of:

partitioning a first memory on said at least one computer to provide a first user with a first partition to store updates to files corresponding to said first user, said first memory at least partially inaccessible to a second user (col. 3 lines 1-20);

partitioning a second memory on said at least one computer to provide said second user with a second partition to store updates to files corresponding to said second user, said second memory at least partially inaccessible to said first user (col. 3 lines 1-20);

partitioning a third memory on said at least one computer to store selected updates from said first and second user partitions to create a first common partition such that said first and second users

have associated partition chains comprising said first and second partitions, respectively, and said common partition (col. 2 lines 40-67);

selectively storing desired updates from said first and second user partitions in said first common partition (col. 2 lines 40-67); and

providing each of said first and second users access to said first common partition (col. 2 lines 40-67).

4. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

5. Claims 1-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over **Brantley, Jr. et al** (Brantley) patent no. **4,980,822**, in view of **Eshel et al** (Eshel) patent no. **5,535,375**.

6. As to claim 1, Brantley teaches the invention substantially as claimed, including a method for providing simultaneous access to a common file on a computer network comprising at least one computer (col. 2 lines 54-63), said method including the steps of:

partitioning a first memory on said at least one computer to provide a first user with a first partition to store updates to files corresponding to said first user, said first memory at least partially inaccessible to a second user (col. 2 lines 54-68);

partitioning a second memory on said at least one computer to provide said second user with a second partition to store updates to files corresponding to said second user, said second memory at least partially inaccessible to said first user (col. 2 lines 54-68);

partitioning a third memory on said at least one computer to store selected updates from said first and second user partitions to create a first common partition such that said first and second users have associated partition chains comprising said first and second partitions, respectively, and said common partition (col. 2 lines 54-68);

selectively storing desired updates from said first and second user partitions in said first common partition (col. 2 lines 54-68); and

providing each of said first and second users access to said first common partition (col. 2 lines 54-68).

Brantley teaches a partition storage system; however, Brantley does not explicitly teach the file sharing.

Eshel teaches a name space to store names of the files and data area to store files for files shared by clients (abstract).

It would have been obvious by one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Brantley with the teachings of Eshel because the both directed to the storage system and the combination would spell out one of the Brantley's applications.

7. As to claim 2, Eshel teaches the first, second and third memories reside on different computers (abstract).

8. As to claims 3-4, library and archive are well known in the art.

9. As to claims 5-7, Eshel teaches the step of creating a new partition (col. 3 lines 1-20).

10. Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over **Bennett et al** (Bennett) patent no. **4,897,782**, in view of **Loucks et al** (Loucks) patent no. **5,634,122**.

11. As to claim 8, Bennett teaches the invention substantially as claimed, including a method for providing simultaneous access to a common file on a computer network, said network including at least two local computers and at least one remote computer coupled to each of said at least two local computers (Fig. 1), said method including the steps of:

partitioning memories on said local computers into journal partitions that store updates to said file (col. 1 line 55 - col. 2 line 63);

partitioning memories on said local computers into local library partitions that store information from respective ones of said journal files (col. 1 line 55 - col. 2 line 63);

receiving updates on said remote computer from each of said at least two local computers (col. 1 line 55 - col. 2 line 63);

partitioning a memory on said remote computer into a remote partition that stores said updates from said at least two local computers (col. 1 line 55 - col. 2 line 63); and

merging said updates from said at least two local computers into said remote partition (col. 1 line 55 - col. 2 line 63).

However, Bennett does not explicitly teach the steps of updating at least one of said journal files while its associated computer is disconnected from said remote computer; and transmitting said updates from said associated computer to said remote computer after said remote computer is reconnected with said remote computer.

Loucks teaches when a client caches data and then intentionally disconnects from the server. While disconnected, the client updates the cached data. Upon reconnecting with the server, the client propagates all the updates to the server (col. 3 lines 14-24).

It would have been obvious by one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Bennett with the teachings of Loucks because they both directed to the problem of managing shared data in a data processing system and Loucks' teachings of updating data while the computer is disconnected from the server would have supported the Bennett's system to synchronize access to shared files after a client that was disconnected from the

server re-connects and during the integration phase of client changes with the server files ( Loucks, col. 4 lines 5-11).

12. Further references of interest are cited on Form PLO-892 which is an attachment to this office action.

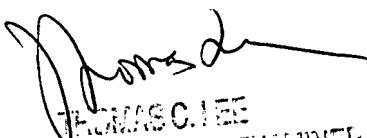
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Ton, whose telephone number is (703) 306-3043. The examiner can normally be reached Monday through Friday from 7:00 AM to 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee, can be reached at (703) 305-9717. The fax phone number for this Group is (703) 308-5359.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

DT  
David Ton

August 12, 1997

  
THOMAS C. LEE  
SUPERVISORY PATENT EXAMINER  
230